

10/519709

Atty. Dkt. No. 045956-0104

DT01 Rec'd PCT/PTO 30 DEC 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Karsten EMRICH et al.  
Title: HEAT EXCHANGER, PARTICULARLY A CHARGE-AIR COOLER FOR  
MOTOR VEHICLES  
Appl. No.: Unassigned  
Filing Date: DEC 30 2004  
Examiner: Unassigned  
Art Unit: Unassigned

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the date of entry of the national stage as set forth in 37 CFR

§1.491.

**RELEVANCE OF EACH DOCUMENT**

Documents A1-A3 listed on the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding International application. Copies of these documents are not being provided since copies should have been provided directly by WIPO under an exchange program between the PTO, the EPO and the JPO. A copy of the International Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

Documents A4-A13 were cited by the examiner in Applicants' corresponding German application. Document A14 claims priority based on document A6. Document A15 claims priority based on document A5.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date DEC 3 0 2004By 

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5414  
Facsimile: (202) 672-5399

Richard L. Schwaab  
Attorney for Applicant  
Registration No. 25,479

Substitute for form 1449B/PTO  
INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

Date Submitted: DEC 30 2004

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number Unassigned 30519709  
Filing Date DEC 30 2004  
First Named Inventor Karsten EMRICH  
Group Art Unit Unassigned 4114  
Examiner Name Unassigned Brandon Rosati  
Attorney Docket Number 045956-0104

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
/B.R./	A1	WO	01/98723	A1	SERCK HEAT TRANSFERT LIMITED	12-27-2001		
/B.R./	A2	EP	1 189 008	B1	TOYO RADIATOR CO., LTD.	11-26-2003		
/B.R./	A3	FR	2 809 170	A1	DENSO CORP.	11-23-2001		
/B.R./	A4	DE	195 47 928	C2	MOTOREN TURBINEN UNION	01-02-1997		Abst.
/B.R./	A5	DE	43 07 504	C1	MOTOREN TURBINEN UNION	09-22-1994		Abst.
/B.R./	A6	DE	43 07 503	C2	MOTOREN TURBINEN UNION	09-15-1994		Abst.
/B.R./	A7	DE	199 27 607	A1	BEHR GMBH & CO.	12-21-2000		Abst.
/B.R./	A8	DE	199 02 504	A1	BEHR GMBH & CO.	08-10-2000		Abst.
/B.R./	A9	DE	198 59 675	A1	BEHR GMBH & CO.	06-29-2000		Abst.
/B.R./	A10	DE	198 30 846	A1	BEHR GMBH & CO.	01-13-2000		Abst.
/B.R./	A11	DE	197 34 690	A1	LAENGERER & REICH GMBH & CO.	02-18-1999		Abst.
/B.R./	A12	DE	42 23 423	A1	LAENGERER & REICH GMBH & CO.	01-20-1994		Abst.
/B.R./	A13	DE	34 44 961	A1	KLOECKNER HUMBOLDT DEUTZ AG	06-12-1986		Abst.
/B.R./	A14	GB	2 275 996	A	MOTOREN TURBINEN UNION	09-14-1994		
/B.R./	A15	GB	2 275 995	A	MOTOREN TURBINEN UNION	09-14-1994		

Examiner Signature

/Brandon Rosati/

Date Considered

10/29/2007

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.